

# United States District Court

## Middle District of Georgia

**UNITED STATES OF AMERICA**

**Vs.**

### JUDGMENT IN A CRIMINAL CASE

(FOR REVOCATION OF PROBATION)

**ALBERT K. LEWIS,**

**NO. 5: 06-MJ-07-02 (CWH)**

Defendant

Robert E. Bergman

Defendant's Attorney

The above-named defendant having admitted to violating CONDITIONS OF PROBATION imposed upon him by the undersigned in the above-captioned proceeding on December 18, 2006, as alleged in the **PETITION FOR ACTION ON PROBATION** filed February 28, 2006, by U.S. Probation Officer Kevin L. Mason, said sentence of probation is now **REVOKED**, and he is **RESENTENCED** as hereinafter set out, the court finding the following violation(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Occurred</u>
1	<b>Failing to Follow Instructions - Failing to Report for Urinalysis</b>	2/12/07
2	<b>Using Controlled Substances</b>	1/12/07; 1/31/07
3	<b>Failing to Attend Drug Treatment as Directed</b>	2/7/07

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment (if any) are fully paid.

**Defendant's Soc. Sec. No.:** \*\*\*-\*\*-2624

March 30, 2007

Date of Imposition of Judgment

**Defendant's Date of Birth:** 1981

**Defendant's USM No.:** 93131-020

**Defendant's Residence Address:**

800 Leisure Lake Drive - Apt. 18-E  
Warner Robins, GA 31088

**Defendant's Mailing Address:** Same



Signature of Judicial Officer

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer

April 2, 2007

Date

## IMPRISONMENT

The court finds that the conditions of probation have been violated as outlined the **PETITION FOR ACTION ON PROBATION** filed February 28, 2006. The court further finds that the defendant has been given every opportunity to comply with conditions of supervision and that he has continued to violate conditions by using illegal drugs, even after being given the opportunity to participate in drug treatment and counseling. Thus, an exception to 18 U.S.C. §3563(e) is not warranted. Accordingly, the defendant's probation is **REVOKED**, and he is hereby committed to the **CUSTODY** of the UNITED STATES BUREAU OF PRISONS to be imprisoned for a period of **FORTY-FIVE (45) DAYS**.

☐ The court makes the following recommendation to the BUREAU OF PRISONS:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ A.M./P.M. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ as notified by the Probation/Pretrial Services Office.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2:00 P.M. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ as notified by the Probation/Pretrial Services Office.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
 at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
 DEPUTY UNITED STATES MARSHAL

United States District Court  
Middle District of Georgia  
MACON DIVISION

UNITED STATES OF AMERICA

Vs.

NO. 5:06-MJ-07-02 (CWH)

ALBERT K. LEWIS,

Defendant

**STATEMENT OF REASONS**

For ADVISORY PURPOSES ONLY, the court has considered the factual findings and guideline application in the presentence report provided by the U. S. Probation Office. The sentence imposed herein is within the guideline range reflected below and that range does not exceed 24 months. The **GUIDELINE RANGE** considered may be summarized as follows:

**TOTAL OFFENSE LEVEL: 2**

**CRIMINAL HISTORY CATEGORY: 1**

**IMPRISONMENT RANGE: 3 to 9 months**

**SUPERVISED RELEASE RANGE: up to 1 year (if imprisonment imposed)**

**FINE RANGE: \$1,000.00 to \$5,000.00 plus cost of incarceration/supervision**

☐ Fine waived or below the guideline range because of inability to pay.

**TOTAL AMOUNT OF RESTITUTION: None**

☒ The sentence imposed departs from the guideline range:

☐ upon motion of the government, as a result of defendant's substantial assistance

☒ for the following specific reason(s): sentence is consistent with explanations given by defendant as reasons for violations.

Dated at Macon, Georgia, this 2<sup>nd</sup> day of APRIL, 2007.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE